

Respond to: Kurt F. Johnson - Living Soul
c/o KURT F. JOHNSON 13177-081
P.O. BOX 9000
SAFFORD AZ 85548

and,

Deborah Jean Welsh - Living Soul
c/o DEBORAH JEAN WELSH
5809 HARBORD DR.
OAKLAND CA 94611

FILED

08 MAY 20 11:37

DEBORAH W. WELSH
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

KURT F. JOHNSON and DEBORAH)	NO.C 08-1155 MMC (PR)
JEAN WELSH)	
Plaintiffs,)	REQUEST FOR EXTENTION OF TIME
V.)	WITH LEAVE TO AMEND
)	
UNITED STATES BUREAU OF PRISONS,)	(Docket No. 4)
et al.,)	
Defendants.)	
)	
)	
)	

Plaintiffs move for the court to grant an extention of time of not less than 90 days from the filing date of this request to comply with the wishes of the court. The evidence the court seeks to prove up the exemption sought from the filing fee is not currently in the possession of JOHNSON. JOHNSON who is being warehoused by defendants has been shipped to the SAFFORD location. In the process the hard drive and legal documents that contain all the necessary evidence in which to prosecute are being held by defendants. This is not expected to cure in the near future since JOHNSON is scheduled to appear on June 10, 2008 in Mr. Alsup's court. JOHNSON and the legal property will remain separated most likely until early August. JOHNSON is powerless to change the nature of the circumstance since the defendant is completely in control of the situation. Failure of this court to grant such an extention will be highly prejudicial to plaintiffs in that it will allow the defendants by their procedures to control the outcome of this litigation by the mere tactic of deprivation of plaintiff resources. WELSH would be prejudiced the most in that in relying of JOHNSON's documentation WELSH is likewise compromised by dfendants while not being subject to their policy.

BP-A148.055

INMATE REQUEST TO STAFF CDFRM

SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) MR. HERNANDEZ	DATE: 5-13-08
FROM: KURT JOHNSON	REGISTER NO.: 13177-081
WORK ASSIGNMENT:	UNIT: S-03-14U

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.

I am very concerned about the contiued deprivation and separation from my legal documentation. I have already had to submit inferior legal products in my case directly caused by this deprivation. I at this moment cannot calculate what the damages might be. I can only hope none. I am a pro se litigant and there is no other remedy available to me except my own efforts and my own work product. My concern is that I am in litigation with the BoP and I'm beginning to suspect that this delay might just be intentional and a tactic to control the outcome of the litigation. I am requesting immediate release of my legal documents. Thank you!

(Do not write below this line)

DISPOSITION:

Signature Staff Member	Date
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This form replaces BP-148.070 dated Oct 86
and BP-S148.070 APR 94

FILE IN SECTION 6 UNLESS APPROPRIATE FOR PRIVACY FOLDER

SECTION 6



U.S. Department of Justice

*United States Attorney
Northern District of California*

9th Floor, Federal Building
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102

(415) 436-6915
FAX: (415) 436-6927

April 25, 2008

Mr. Kurt Johnson 13177-081
Federal Detention Center
5675 8th St. Camp Parks
Dublin, CA 94568

Re: *Kurt F. Johnson, et al. v. U. S. Bureau of Prisons, et al*
Civil Action No. 08-1155 MMC

Dear Mr. Johnson:

We represent the federal defendants in this litigation. Proper service of process of the Summons and Complaint has not yet been accomplished in the above-referenced case, and the time for the filing of an answer has not yet begun to run.

Please note that Rule 4(i), Federal Rules of Civil Procedure, as amended effective December 1, 2007, requires the following:

- (i) **Service Upon the United States, and Its Agencies, Corporations, Officers, or Employees,**
 - (1) United States. To serve the United States, a party must:
 - (A)(i) deliver a copy of the summons and of the complaint to the *United States Attorney* for the district where the action is brought or to an Assistant United States Attorney or clerical employee whom the United States Attorney designates in a writing filed with the court clerk or
 - (ii) send a copy of each by registered or certified mail to the civil-process clerk at the United States Attorney's Office;
 - (B) send a copy of each by registered or certified mail to the Attorney General of the United States at Washington, D.C.; and
 - (C) if the action challenges an order of a nonparty agency or officer of the United States, send a copy of each by registered or certified mail to the agency or officer.

Mr. Kurt Johnson

April 25, 2008

Page 2

cc: Christopher Erlewine
General Counsel
United States Bureau of Prisons
320 First Street, N.W., Room 958
Washington, D.C. 20534

Harlan Penn, Regional Counsel
United States Bureau of Prisons
7950 Dublin Blvd., Third Floor
Dublin, CA 94568

Timothy Garren, Director/
Janice B. Taylor, Paralegal Specialist
Department of Justice, Torts Branch
P.O. Box 888, Ben Franklin Station
Washington, D.C. 20044

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Defendants would not be prejudiced by this grant of extension of time in that they are claiming to not have been properly served and have no intention to answer until served in the manner they expect. [see attachment 1]

Further Plaintiffs have discovered the identity of some of the DOES and will need this time to amend to better inform this court and the defendants the nature and cause of the accusations.

It is believed by Plaintiffs that there is good cause appearing for a reasonable grant of extension of time and leave to amend.

Respectfully submitted this 19th day of May 2008

By: _____ //ss//
By: KURT F. JOHNSON - FICTION - PLAINTIFF
UNDER RESERVE WITHOUT RECOURSE

BY: //ss//
By: DEBORAH JEAN WELSH - FICTION - PLAINTIFF
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DISCLAIMER: The sovereign natural parties by their participation with the customs and usage of trade procedures (local rules, evidence rules, criminal procedures, statutes, regulations, and other rules) do not infer or imply consent or acceptance, but merely are attempting to extricate themselves from the hostile coercive trespass upon their rights, title, and interest, and the dishonor of fiduciaries not settling the matter in accordance with the provided instructions and public policy, while in all ways seeking honor in commerce.

cc: Edward Olsen AUSA
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FBI Safford
Federal Correctional
Institution
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